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11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
13 SAN JOSE DIVISION

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UNITED STATES OF AMERICA,) No. CR 11-00749 LHK
Plaintiff,) STIPULATION AND [PROPOSED]
vs.) ORDER CONTINUING HEARING DATE
LUIS RUIZ-LOPEZ,)
Defendant.)

STIPULATION

Defendant Luis Ruiz-Lopez, by and through Assistant Federal Public Defender Heather R. Rogers, and the United States, by and through Special Assistant United States Attorney Carolyne Sanin hereby stipulate that, with the Court's approval, the status hearing currently set for February 22, 2012, at 10:00 a.m., before the Honorable Lucy H. Koh, shall be continued to March 14, 2012, at 10:00 a.m.

The reason for the requested continuance is that defense counsel requires additional time in order to effectively prepare. In particular, the defense team needs more time to investigate the case and provide the prosecution with discovery in order to continue to attempt to negotiate a potential settlement. Defense counsel also requires additional time to consult with Mr. Ruiz-

1 Lopez regarding matters related to this case. The parties therefore respectfully request a
2 continuance to March 14, 2012, at 10:00 a.m.

3 The parties agree that the time between February 22, 2012, and March 14, 2012, may be
4 excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), for effective
5 preparation of counsel.

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7 Dated: February 13, 2012

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9 HEATHER ROGERS
10 Assistant Federal Public Defender

11 Dated: February 13, 2012

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13 JEFFREY SCHENK
14 Assistant United States Attorney

15 **[PROPOSED] ORDER**

16 GOOD CAUSE APPEARING, upon stipulation of the parties, IT IS HEREBY
17 ORDERED that the hearing currently set for February 22, 2012, at 10:00 a.m., before the
18 Honorable Lucy H. Koh, shall be continued to March 14, 2012, at 10:00 a.m.

19 THE COURT FINDS that failing to exclude the time between February 22, 2012, and
20 March 14, 2012, would unreasonably deny counsel for the defendant reasonable time necessary
21 for effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. §§
22 3161(h)(7)(B)(iv).

23 THE COURT FINDS that the ends of justice served by excluding the time between
24 February 22, 2012, and March 14, 2012, from computation under the Speedy Trial Act outweigh
25 the interests of the public and the defendant in a speedy trial.

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1 THEREFORE, IT IS HEREBY ORDERED that the time between February 22, 2012, and
2 March 14, 2012, shall be excluded from computation under the Speedy Trial Act, 18 U.S.C. §
3 3161(h)(7)(A) and (B)(iv).

4 IT IS SO ORDERED.

5 Dated: 2/14/12


HON. LUCY H. KOH
United States District Court Judge

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